

## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below adjacent to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of subject matter (process, machine, manufacture, or composition of matter, or an improvement thereof) which is claimed and for which a patent is sought by way of the application entitled

### DETECTION OF A CALL-WAITING TONE BY A MODEM

which (check)  is attached hereto.  
 and is amended by the Preliminary Amendment attached hereto.  
 was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_  
 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Day/Month/Year Filed	Yes	No
N/A				

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date
N/A	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as any subject matter of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
N/A		

Copy of Declaration from Prior Application  
Intended for the Instant Application

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

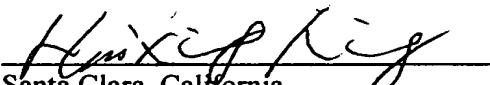
Alan H. MacPherson (24,423); Thomas S. MacDonald (17,774); Kenneth E. Leeds (30,566); Brian D. Ogonowsky (31,988); David W. Heid (25,875); Norman R. Klivans (33,003); Edward C. Kwok (33,938); David E. Steuber (25,557); Michael Shenker (34,250); Stephen A. Terrile (32,946); Peter H. Kang (40,350); T. Lester Wallace (34,748); Ronald J. Meetin (29,089); Andrew C. Graham (36,531); Ken John Koestner (33,004); Omkar K. Suryadevara (36,320); David T. Millers (37,396); Kent B. Chambers (38,839); Serge J. Hodgson (40,017); David M. Sigmund (34,013); David W. O'Brien (40,107); Mark Zagorin (36,067); Michael P. Adams (34,763); Bernard Berman (37,279); Frederick J. Zustak (36,728); Michael J. Halbert (40,633); Gary J. Edwards (41,008); William B. Tiffany (41,347); James E. Parsons (34,691); Daniel Stewart (41,332); and Philip W. Woo (39,880).

Please address all correspondence and telephone calls to:

David W. O'Brien  
**SKJERVEN, MORRILL, MacPHERSON, FRANKLIN & FRIEL, L.L.P.**  
25 METRO DRIVE, SUITE 700  
SAN JOSE, CALIFORNIA 95110  
Telephone: (512) 794-3600  
Facsimile: (512) 794-3601

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole (or first joint) inventor: Haixiang Liang

Inventor's Signature:   
Residence: Santa Clara, California  
Post Office Address: 1439 Johnson Avenue  
Santa Clara, California 95129  
Date: 5/22/98  
Citizenship: China

Full name of second joint inventor: Zarko Draganic

Inventor's Signature:   
Residence: Menlo Park, California  
Post Office Address: 145 Laurel Avenue  
Menlo Park, California 94025  
Date: 5/22/98  
Citizenship: Canada